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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 4491/2024**

SUBHAG SINGH SETHI AND ORS.

.....Petitioners

Through: Mr. M.K. Arora (D/497/93), Mr. Rudraksh Arora (D/4550/2024) and Ms. Tanishka (D/4577/2024), Advocates.

versus

STATE AND ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State. Mr. G. K. Bharti (D/84/88) and Ms. Tanishq Khurana (D/2679/20), Advocates for R-2. ASI Gyan Parkash (3021-D), PS Patel Nagar

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

30.08.2024

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1. The present petition has been filed for quashing FIR No.494/2023 dated 26.07.2023, registered at Police Station Patel Nagar for offences under Section 498A, 406, 34 IPC on the ground that the parties have amicably settled their disputes. The present proceedings arise out of a matrimonial dispute between the parties.

2. The principal ground on which the present petition has been filed is that the parties have amicably resolved their disputes by a settlement agreement dated 08.08.2024. As per the settlement agreement, the Petitioner No.1 has agreed to pay a sum of Rs.31,00,000/- to Respondent



No.2/Complainant towards full and final settlement of all her claims in the following manner:-

- a. A sum of Rs.10,00,000/- was received by the Respondent No.2 at the time of recording of first motion.
 - b. A sum of Rs.10,00,000/- was received by the Respondent No.2 at the time of recording of second motion.
 - c. Remaining Rs.11,00,000/- was to be paid during the quashing of the FIR.
3. The Petitioners No.1, 2 & 3 have joined the proceedings through Video Conferencing and Respondent No.2/Complainant is present in Court. The parties have been identified by their respective Counsels and the Investigating Officer. Respondent No.2/Complainant has also filed an affidavit affirming the fact that all the disputes with the Petitioners have been amicably settled. She states that she has received the entire amount and has settled all her disputes with the Petitioners out of her own free will, without pressure, coercion or undue influence.
4. Considering the fact that the dispute is a matrimonial dispute and the parties have amicably settled their disputes, the present case is squarely covered under the law laid down by the Supreme Court in Gian Singh v. State of Punjab, (2012) 10 SCC 303. In view of the settlement arrived at between the parties, this Court is of the opinion that no useful purpose will be served in continuing with the present proceedings. Resultantly, FIR No.494/2023 dated 26.07.2023, registered at Police Station Patel Nagar for offences under Section 498A, 406, 34 IPC and the proceedings emanating therefrom are hereby quashed. The parties shall remain bound by the terms of the settlement and the undertaking given to the Court.



5. The petition stands disposed of with the above observations along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

AUGUST 30, 2024

Rahul